

4

DEPARTMENT OF PLANNING STAFF REPORT

BOARD OF SUPERVISORS PUBLIC HEARING

DATE OF HEARING: June 7, 2010

ZCPA 2009-0007 / ZMOD 2009-0004 Belmont Glen Village

DECISION DEADLINE: June 30, 2010

ELECTION DISTRICT: Dulles

PROJECT PLANNER: Ginny Rowen

DIRECTOR: Julie Pastor

EXECUTIVE SUMMARY

Bayshire, LC of McLean, Virginia, has submitted an application to amend the concept plan and proffers approved with ZMAP 2004-0006, Belmont Glen-Rouse Property, in order to change the approved R-8 Traditional design option to the standard R-8 design option in the PD-H3 (Planned Development Housing) zoning district. The property is approved for the development of up to 196 single family detached units at a density of 1.37 dwelling units per acre. The applicant is requesting three modifications of the Zoning Ordinance to reduce buffers and yards and to permit a cash buyout of the Affordable Dwelling Units (ADUs). The property is approximately 143 acres and is located on the west side of Route 659 (Belmont Ridge Road), the east side of Goose Creek, north of the Beaverdam Reservoir and south of the Dulles Greenway at 21361 Belmont Ridge Road. The property is located partially within the FOD (Floodplain Overlay District), is subject to the Revised 1993 Zoning Ordinance, and is governed by the policies of the Revised General Plan (Suburban Policy Area (Ashburn Community)), which recommends residential development at densities up to 4.0 dwelling units per acre.

RECOMMENDATIONS

Planning Commission

The Planning Commission voted 9-0 at its April 28, 2010 Meeting to recommend approval of the applications, subject to the Proffer Statement dated April 29, 2010 and based on the Findings in the June 7, 2010 staff report.

Staff

Staff concurs with the Planning Commission recommendation.

SUGGESTED MOTIONS

1. I move that the Board of Supervisors forward ZCPA 2009-0007 and ZMOD 2009-0004, Belmont Glen Village, to the June 15, 2010 Board business meeting for action. OR

2. I move that the Board of Supervisors suspend the rules; AND

I further move that the Board of Supervisors approve ZCPA 2009-0007 and ZMOD 2009-0004, Belmont Glen Village, subject to the Proffers dated May 25, 2010, and with Findings contained in the June 7, 2010 Staff Report. OR

3. I move an alternate motion.

VICINITY MAP

Directions from Leesburg: Proceed east on Harry Byrd Highway (Route 7) to the intersection at Belmont Ridge Road (Route 659). Proceed south on Route 659 approximately 4 miles. Site is on the west side, south of the planned Goose Creek Preserve community and north/west of the Belmont Glen community.

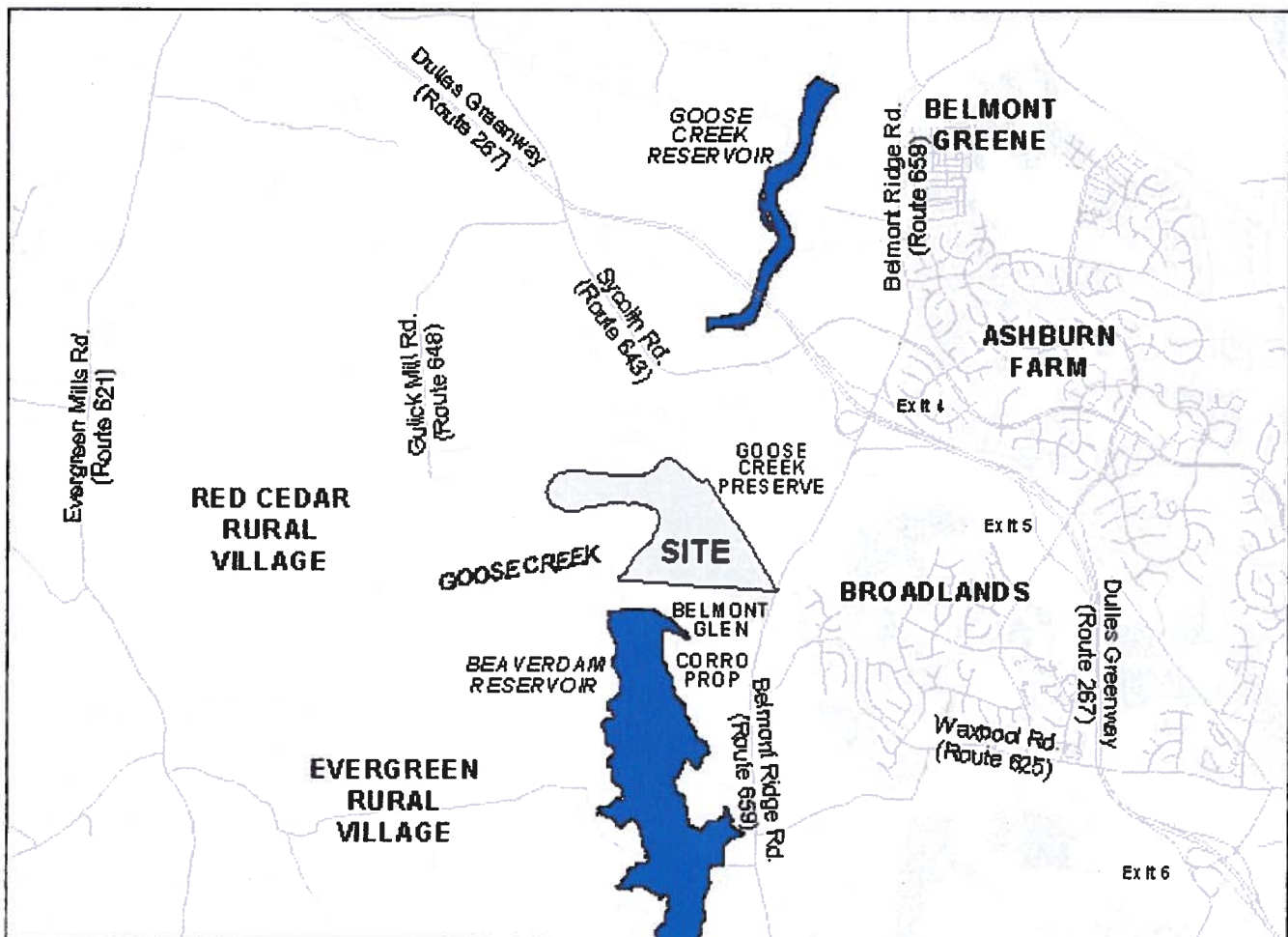


TABLE OF CONTENTS

I.	Application Information	4
II.	Summary of Discussion	5
III.	Planning Commission Review and Findings	7
IV.	Project Review.....	7
A	Zoning History	7
B.	Context	8
C.	Summary of Outstanding Issues.....	12
D.	Overall Analysis.....	12
E.	Zoning Modification Review	18
F.	Criteria for Approval.....	19
V.	Attachments	21

I. APPLICATION INFORMATION

APPLICANT/OWNER: Bayshire, LC
Richard D. Entsminger, Manager
1355 Beverly Road, Suite 240
McLean, VA 22101
703-734-9730

REPRESENTATIVE: Walsh, Colucci, Lubeley, Emrich & Walsh, PC
Christine E. Gleckner, AICP
One East Market Street
Leesburg, VA 20176
571-209-5776

PROPOSAL: A **Zoning Concept Plan Amendment** to amend ZMAP 2004-0006, (revise R-8 traditional design option to a suburban R-8 option). Three **Zoning Modifications** to modify: (1.) Sections 3-509(C) and 4-109(C); (2.) Sections 3-506(C)(1(a) and (b); and (3.) Sections 7-103(A)(1) and 7-108.

LOCATION: 21361 Belmont Ridge Road, Ashburn, VA

TAX MAP/PARCEL: Tax Map— /78/////////9/ MCPI—195-19-3084-000

CURRENT ZONING: PD-H3, Traditional R-8 design option

RESIDENTIAL UNITS: 196 single-family detached units

SURROUNDING:	ZONING	EXISTING LAND USE
NORTH	TR-10 (Transition Area)	Undeveloped (app. residential)
SOUTH	R-1 & R-8 (Residential)	Residential/Reservoir
EAST	PD-H4 (Housing)	Residential/Vacant
WEST	PD-RV & (Rural Village & TR-10 Transition Area)	Conservancy lot / residential

ELECTION DISTRICT: Dulles

II. SUMMARY OF DISCUSSION

Topic/Issue Area	Issues Examined and Status
Comprehensive Plan	<ul style="list-style-type: none"> Remove lots encroaching on Goose Creek 300' no-build buffer. RESOLVED; see Sheet 3 of CDP. Justify why proposed standard design option is superior to the approved traditional design option. RESOLVED, environmental impacts reduced w/ proposed design; see Statement of Justification. Provide sidewalks on both sides of streets and pedestrian connections between streets where appropriate. RESOLVED; see Sheet 4 of CDP. Provide contribution for unmet housing needs. RESOLVED, see proffer 31.
Design	<ul style="list-style-type: none"> Provide easements for sanitary sewers between lots 191 & 192. RESOLVED, easement provided, see Sheet 3 of CDP. Water main connection may be needed in future. RESOLVED, connection provided between lots 120 & 121 and 163 & 164, see Sheet 3 of CDP. Clarify means of access to Belmont Ridge Road through developments to north and south, and relation to number of zoning permits issued. RESOLVED, see Proffer #2 Provide signage for future public passive park on property. RESOLVED, see Proffer #33. Provide access & parking to passive park. RESOLVED, see Sheet 4 of CDP ; natural surface trail provided from Belmont Ridge Road to development sidewalk system along southern property boundary. Relocate stormwater pond out of future park land. RESOLVED, see Sheet 3 of CDP; pond is entirely in the development's HOA open space area. Confirm archaeology site will not be disturbed. RESOLVED, see Proffer #17. Detail if low-impact development (LID) measures will be utilized. RESOLVED; LID may be used in coordination with stormwater pond, as determined during construction plan and profile review. Determine limits of the Goose Creek reservoir and FSM standards regarding land disturbance. RESOLVED, site is upstream of these limits, and proposed locations of disturbances are allowed.
Environmental	<ul style="list-style-type: none"> Remove Lots in areas of moderately steep slopes. RESOLVED, see Sheet 3 of CDP. Commit to comprehensive SWM/BMP measures. RESOLVED; see Proffers 20, 22, 25. Include sustainable and energy-efficient design/construction; RESOLVED; see Proffer #32, NAHB bronze level standards, enforceable at occupancy permit. Identify the 300' Reservoir Protection Buffer and 50' River and Stream Corridor Management Buffer. RESOLVED, see Sheets 2, 3, 5, and 6 of CDP. Remove lots from encroaching on the 50' management buffer. RESOLVED, see Sheet 3 of CDP. Depict con-span crossing of very steep slopes near Lots 18 & 19 on CDP. RESOLVED, see Sheets 3 and 7 of CDP. Revise reforestation plan. RESOLVED, planting configurations changed as requested, see Sheet 8 of CDP.

II. SUMMARY OF DISCUSSION (continued)	
Topic/Issue Area	Issues Examined and Status
Transportation	• Coordinate with VDOT regarding Secondary Street Acceptance Requirements (SSAR) and Chapter 527 requirements. RESOLVED; applicant met with County/VDOT staff: Chapter 527 not required, prior traffic analysis still applies. Connectivity index data shown on Sheet 4 of CDP. Development phasing not proposed.
	• Identify design features of proposed roadways. RESOLVED, see Sheet 4 of CDP.
	• Identify parking. RESOLVED, see parking summary note on Sheet 3 of CDP.
Zoning	• Clarify reasons for showing land bays, and required buffers between them. RESOLVED, applicant removed land bays from CDP.
	• Modify Section 3-506(C)(1)(b) for minimum side yards. RESOLVED, modification of this section added for Lots 1-13 and 193-196; see Sheet 7 of CDP.
	• Justification to modify Section 3-506(C)(1)(b) for minimum side yards. RESOLVED, removing alleys, buildings wider, conservation design; see page A-153.
Proffer Statement	• Correct typographical & clerical errors or omissions, make additions or deletions. RESOLVED, see Attachment 5.

Policy or Ordinance Sections Subject to Application	
<u>Revised General Plan</u>	
Chapter 1	Relationship to Other County Planning Documents / 2 nd Paragraph
Chapter 3	Proffer Policies / Capital Facilities
Chapter 5	Green Infrastructure; River and Stream Corridor Resource Map, Major and Sub-Watershed Maps; River and Stream Corridor Resources and Surface and Groundwater Resources; Scenic Rivers and the Potomac River; Steep Slopes and Moderately Steep Slopes; Surface and Groundwater;
Chapter 6	Suburban Policy Area / General Residential Neighborhood Policies; Design Guidelines / Residential Neighborhoods, Streetscape
Chapter 7	Planned Land Use Map
Chapter 11	Residential Design Guidelines
	Countywide Housing Policies
	Countywide Transportation Plan (CTP)
	Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) / Walkway & Sidewalk Policies
<u>Revised 1993 Zoning Ordinance</u>	
Section 3-506(C)(1) – Lot Requirements – Single Family Detached Dwellings Front and Side Yards	
Section 3-509(C) – Development Standards, Minimum Buffer	
Section 4-109(C) – Site Planning – External Relationships	
Section 5-1414(B) – Buffer Yards	
Section 5-1508 – Steep Slope Standards	
Section 6-1504 – Planned Development Districts / Modifications	
Section 7-103(A)(1) – Single Family Detached and Single Family Attached Units.	
Section 7-108(A)(3), (B), (E) – Affordable Dwelling Units (ADUs)	

III. PLANNING COMMISSION REVIEW AND RECOMMENDATION

The Planning Commission reviewed the applications at the April 28, 2010 Public Hearing. No one from the public spoke regarding the applications. The Planning Commission recommended several minor changes to the draft proffers which have since been incorporated. At the request of the staff and the Commission, the applicant has now proffered sheet 8 (reforestation planting plan). The Planning Commission voted unanimously (9-0) to forward the applications to the Board of Supervisors with a recommendation of approval, subject to the Proffer Statement dated April 29, 2010, and the Findings contained in the staff report.

FINDINGS FOR APPROVAL

1. A conventional R-8 design containing 196 single-family units at a density of 1.37 dwelling units per acre is consistent with Revised General Plan policies.
2. The proposed application does not alter the approved land use and density of the approved development.
3. The proposal, including the zoning modifications, complies with the PD-H3 and R-8 district regulations of the Revised 1993 Zoning Ordinance.
4. Developing the site as a conventional R-8 proposal will reduce the amount of land disturbance, which will enhance the preservation of the natural environment.
5. The proposal proffers new contributions for park signage, reforestation of County park land, and a contribution to fund unmet housing needs in the County.

IV. PROJECT REVIEW

A. Zoning History

The current zoning on the property is the result of two previous rezoning applications. ZMAP 2002-0007, Belmont Glen-Rouse Property, proposed 196 single-family detached units at a density of 1.37 dwelling units per acre, administered under the R-8 (Single Family Residential, traditional design option) zoning district regulations. Upon resolution of the issues, staff had recommended approval of the original rezoning. On May 28, 2003, the Planning Commission voted 4-1-1-3 (Kirchner—abstained; Kirschenbauer, Miller, Offerman—absent) to forward the application to the Board of Supervisors with a recommendation of denial.

At the September 15th, 2003 Business Meeting, the Board of Supervisors voted 7-2 to deny the application. Based on the denial of the rezoning, the applicant sued the Board of Supervisors on December 29, 2003. A subsequent application (ZMAP 2004-0006, Belmont Glen-Rouse Property) was filed and accepted for processing by the County on April 6, 2004 as part of a legal settlement. The Board of Supervisors held a public hearing on the application on June 8, 2004, and approved the application on June 15, 2004 (vote of 6-3).

B. Context

The subject property lies between Goose Creek and Belmont Ridge Road (Route 659), which is the western edge of the Suburban Policy Area (Ashburn Community). The site lies just below Beaverdam Reservoir and upstream from Goose Creek Reservoir, the latter being a major source of drinking water for much of Loudoun County. There are significant amounts of floodplain and steep slopes on the site, the majority of which are included within a proposed 61-acre passive park that will be dedicated to the County. Scattered wetlands also are present on the property.

The subject site is a mix of open fields and wooded areas, with the majority of the approved development to occur on the open portions of the site. Soils on the property are generally suitable for development purposes; however, some areas of hydric soils do exist in the south central portion of the site and would be impacted by the approved development. Areas of steep and moderately steep slopes within the area to be developed with residential uses have been avoided and are proposed to remain as common open space.

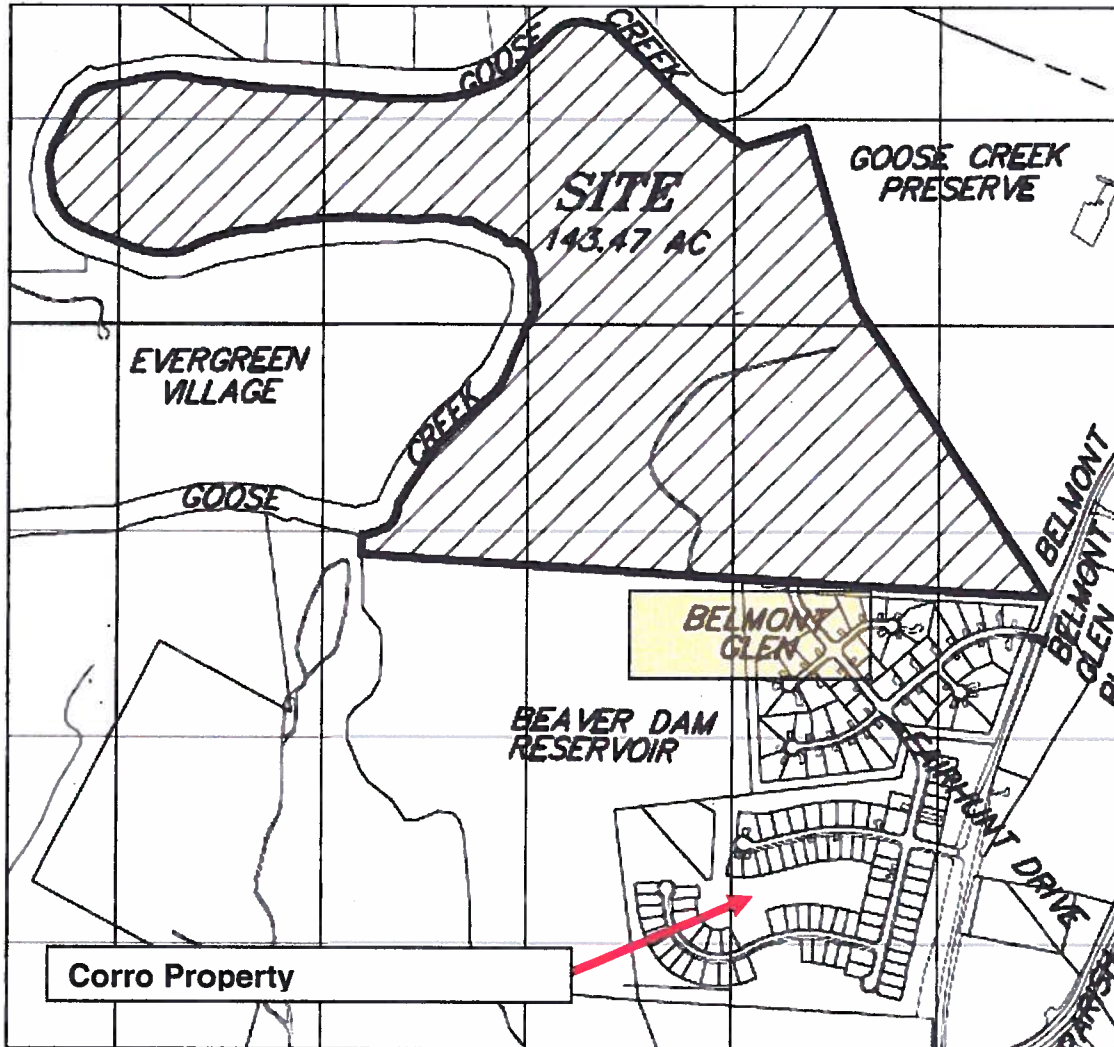
As noted in the Statement of Justification, upon further engineering of the site (including approval of a preliminary subdivision and construction plans) it became clear to the applicant that implementing a traditional R-8 design would require extensive 'over-engineering' of the site. With the natural topographic features of the site, development of the approved layout would have resulted in extensive land disturbance and environmental impacts that could be avoided with an alternate development plan.

This application proposes to amend the approved Concept Development Plan to provide an alternative lay-out for the approved 196 lots using conventional R-8 building and lot requirements (Section 3-506). Implementing this alternative would allow the retention of more environmental features and would result in the retention of additional open space. Both the approved and proposed concept plan incorporate only one housing type (single-family detached - SFD), which is inconsistent with traditional neighborhood design policy. The alleys and rear accessed garages (for 66 units) and the general look and feel of traditional neighborhood design are removed with this application. The look and function would be similar to most of the planned development (PD) districts in the County.

Belmont Glen (ZMAP 1997-0002, RZPA 1999-0001) is located immediately to the south of this site and is built out (consisting of 49 single-family detached units at a density of approximately 1.8 dwelling units/acre). The Corro Property (ZMAP 2002-0012), located immediately south of Belmont Glen, was approved for up to 94 single-family detached units at a density of 2.4 dwelling units/acre; 34 units have been constructed to date, and 8-10 units are currently under construction. Goose Creek Preserve (ZMAP 2002-0009), is currently under construction and is located immediately to the north and east of the site. It was approved for the development of a mix of 500 residential units (approximately 3.1 dwelling units/acre). Road connections to Belmont Glen and Goose Creek Preserve are proposed with this application, since the property has no direct access to Route 659 (see Sheet 3 of the CDP). North of Goose Creek Preserve and south of Sycolin Road, the approved Goose

Creek Village South rezoning (ZMAP 2003-0009) is developed with 92 townhomes at a density of approximately 3.1 units/acre. Sections 18, 19 and 23 of Broadlands are located across Route 659 from the subject property.

Location / Surrounding Developments



Across Goose Creek, in the Lower Sycolin Sub Area of the Transition Policy Area, is a conservancy lot that was approved as part of Evergreen Rural Village (ZMAP 2002-0002); that project was approved by the Board of Supervisors in June 2003 to construct up to 305 dwelling units on approximately 850 acres (1 dwelling unit per 2.7 acres). North of the site across Goose Creek, south of Sycolin Road (Route 643), are a few scattered residences within a mix of open fields and wooded areas.

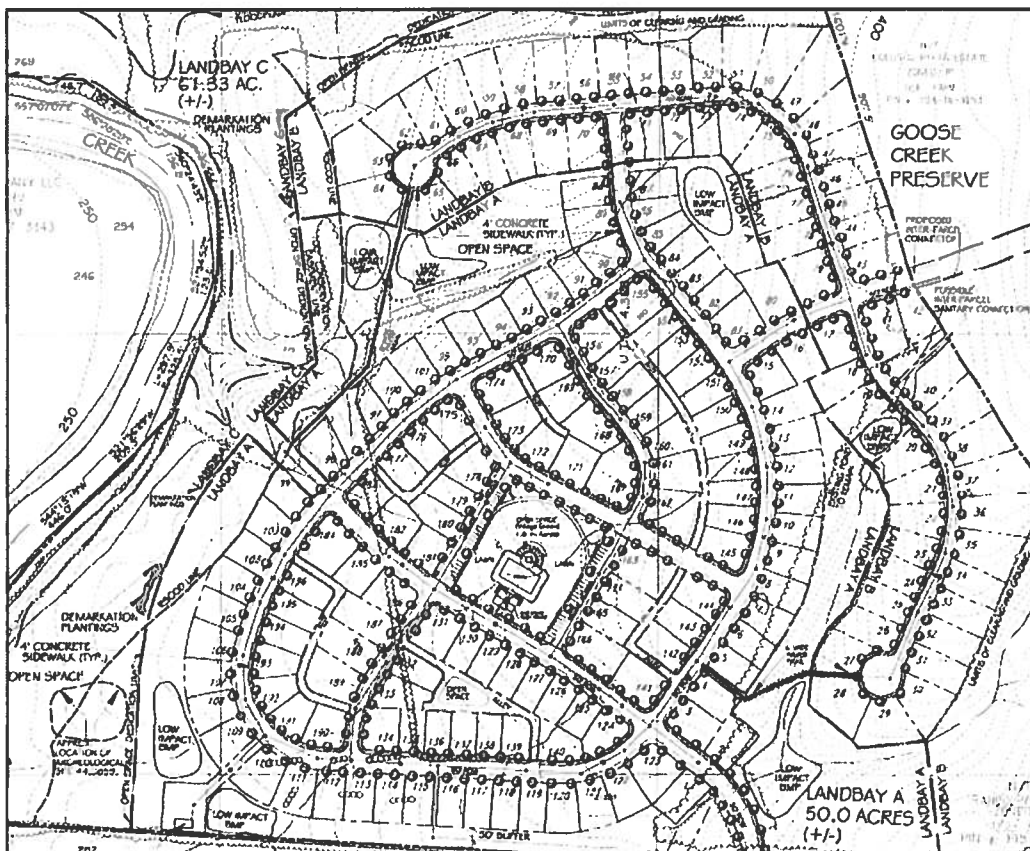
APPROVED vs. PROPOSED DESIGN

The primary focus of the staff review was to determine what the differences were between the approved “traditional” design versus the proposed conventional design. In addition, Plan policies that have been adopted since the time of the rezoning approval were also reviewed against the application.

Approved Development Plan

As previously noted, there was a lengthy review process prior to approval of the current plan. The by-right development potential of the property was 143 single-family detached (SFD) dwellings under the previous R-1 zoning; the rezoning added an additional 53 units. The approved plan consisted of 92.3 acres of total open space (61.3 acres dedicated to the County as a passive park and 31 acres of HOA open space).

Currently Approved CDP, ZMAP 2004-0006



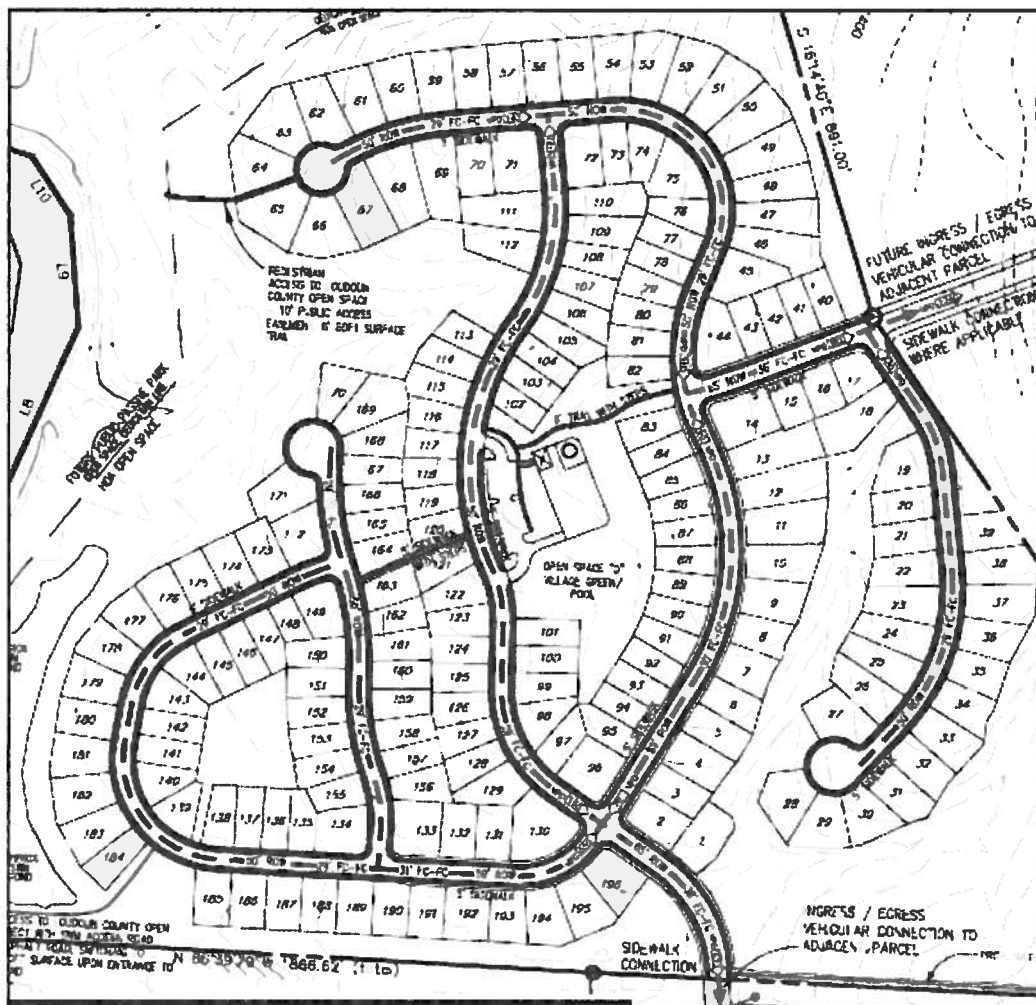
Traditional design features of the approved plan consist of an interconnecting street network, the use of alleys with garage entrances along the alleys, and front-entry units that require additional garage setbacks from the front of the house. The concept plan also proposed a highly clustered lay-out, maintaining nearly two-thirds of the site as open space. This design was complementary to the Goose Creek Preserve project, which was approved for a mix of

unit types (single-family detached, duplex, townhouses, and multi-family) in a neo-traditional setting.

Proposed Plan (ZCPA 2009-0007 / ZMOD 2009-0004)

The proposed layout has a similar footprint as the approved concept plan. Despite the same number of units, this application proposes 95.9 acres of total open space (61.3 acres for the proposed County park and 34.6 acres of HOA open space) – which is an increase of 3.6 acres.

Proposed CDP, ZCPA 2009-0007 / ZMOD 2009-0004



The primary justification for the application is that the standard design option is more consistent with, and less intrusive to, the existing topography. Because of the removal of alley-ways and some street segments, the new plan creates less impervious area. Some lot sizes have been reduced, and the layout and/or location of many lots were moved to avoid environmental features or Plan Policy boundaries. There are fewer and smaller retaining

walls that will be needed on the western side of the site where the topography slopes off toward the Goose Creek.

The proposal continues to maintain the proffers included in the original rezoning, except for changes associated with the design, and there are several new proffers that were added based on the adoption of new County policies. The requested modifications have also changed slightly due to the proposed design option and to the physical placement of lots that have either eliminated or created the need for a modification.

C. Summary of Outstanding Issues

There are no outstanding issues with the application. The applicant has included all of the recommended changes to the application.

D. Analysis

LAND USE

The site is governed under the policies of the Suburban Policy Area of the Revised General Plan. Located in the Ashburn Community, it is designated for Residential development. Residential Neighborhoods should have a variety of housing types and lot sizes, and they are to be developed in accordance with design guidelines and performance standards for efficient site layout, a pedestrian-friendly scale, and adequate open space (active, passive, and natural). The property was rezoned to achieve a total of 196 units at a density of 1.37 units per acre, which is far below the Plan policy maximum of 4.0 dwelling units per acre. The development continues to meet or exceed Plan policies for open space, civic space, and amenities. The application is in compliance with the Land Use Mix policies of the Revised General Plan.

EXISTING CONDITIONS

1. River and Stream Corridor

The Property is located within the Goose Creek watershed and includes river and stream corridor resources. Plan policies reinforce the important role rivers and stream corridors play in protecting Loudoun County's water resources. These policies include the protection of rivers and streams, adjacent steep slopes, wetlands, forests, and historic, cultural and archeological resources within the floodplain, and a 50-foot management buffer adjacent to the floodplain and steep slopes. The proposed dedication to the County of over 61 acres of land for a passive park containing the resources meets these policies.

This site is bounded by Goose Creek along the western portion of the property. Goose Creek forms the western boundary of this property and is designated as a "Scenic River" by the Commonwealth of Virginia. It is further protected by Plan policy which calls for the establishment of a 300-foot no-build buffer wherever it exceeds the 50-foot management

buffer. The Plan also recommends the voluntary establishment of a greenbelt along Goose Creek and its reservoir which extends 1,000 feet beyond the 300-foot no-build buffer. If this policy was implemented, approximately half of the proposed units would be eliminated.

2. Steep Slopes

The proposed CDP identified areas of moderately steep slopes and very steep slopes that were not identified at the time of the original rezoning approval. The hazards associated with the disturbance of steep and moderately steep slopes include erosion, building and/or road failure, and downstream flooding. For these reasons, policy prohibits land disturbance on very steep slopes and allows development on moderately steep slopes only with special performance standards - including best management practices, locational clearances for clearing and grading, and approval of natural drainageways. The standard R-8 design proposed by the Applicant will decrease impacts on steep slopes, and through review of this application, the Applicant made several revisions to either reconfigure lots or demonstrate that there is sufficient buildable area without infringing on these environmentally sensitive features.

3. Wetlands

The County's Predictive Wetlands Model indicates that wetlands exist throughout the site. The County supports the federal goal of no net loss to wetlands and seeks to protect its green infrastructure elements and recapture elements where possible. Mitigating wetland and stream impacts close to the impact area will help maintain water quality and flood protection functions, as well as habitat. The Applicant previously received wetland permit WP4-09-0369 (issued July 8, 2009) for the previous development layout, which authorizes the compensation for permanent wetland impacts through the purchase of 0.51 wetland credits from the Cedar Run Wetlands Bank in Prince William County, Virginia. The Applicant intends to use the previously purchased credits to offset any revised wetland mitigation required caused by the new layout. The applicant intends to purchase any additional required mitigation from an approved wetland bank located within Loudoun County.

4. Stormwater Management

The Plan states that major water resource issues for the County include protecting groundwater and surface water (i.e., streams and wetlands) from contamination and pollution as well as preventing the degradation of water quality in watersheds. The Plan promotes the use of low impact development (LID) techniques, which integrate hydrologically functional designs with methods for preventing pollution. LID uses natural vegetation and small-scale treatment systems to treat and infiltrate rainfall close to the source and can include permeable paving, vegetative buffer or filter strips, and the collection and use of rooftop run-off for irrigation and green roofs.

PEDESTRIAN AND BICYCLE LINKAGE

The County is committed to establishing an integrated trails system for pedestrians and cyclists, and will work to establish connections among pedestrian and bicycle sidewalks, paths, and trails. All development proposals need to include pedestrian and bicycle design and a development program that is consistent with national guidelines, including the AASHTO Guide for the Development of Bicycle Facilities, the Americans with Disabilities Act Accessibility Guidelines (ADAAG), and the Loudoun County Bicycle and Pedestrian Facility Design Toolkit. Internal circulation improvements were made, and the proffered commitment to extend the 10' wide multi-use trail on the west side of Belmont Ridge Road is maintained. A natural surface trail along the southern property boundary, which follows an existing gravel road leading toward Goose Creek, will be maintained to provide access to the internal sidewalk system. Pedestrian access will also be provided to the proposed County park adjacent the Creek.

UNMET HOUSING NEEDS

On September 18, 2007, the Board of Supervisors adopted revised housing policies that recognize that unmet housing needs occur across a broad segment of the County's income spectrum. Unmet housing needs are defined as the lack of housing options for households earning up to 100% of the Washington Metropolitan Area Median Income (AMI, \$99,000 for 2008). Developers of residential and mixed-use projects are encouraged to include funding commitments and proffers to fulfill unmet housing needs in their development proposals.

The County encourages each development proposal that includes a residential component to address unmet housing needs recognizing that the largest segment of unmet needs is housing for incomes below 30%. Plan policies encourage the development of housing for special needs populations (low income residents, elderly residents requiring congregate care, disabled residents and the homeless) as well as the application of universal design principles. Proffer 31 provides a cash contribution of \$500 per residential unit at zoning permit issuance to address this policy. If fully built-out, this will provide a total contribution of \$98,000 to be applied to unmet housing needs. Staff notes that a contribution for unmet housing needs was not proffered in the original rezoning.

CAPITAL FACILITIES

All residential rezoning requests are evaluated in accordance with the Capital Facility policies of the Revised General Plan, which calls for contributions valued at 100 percent of the capital facility costs per unit for densities above the base density. When rezoned in 2004, the application proposed 53 units above the base density (R-1 allowed 1 dwelling unit / acre) with an anticipated contribution of \$21,423 per unit, (total contribution of \$1.1 million). This equates to a contribution of \$5,793 per unit for 196 units. A credit of \$1.2 million was included for the proposed 61-acre County park for an overall capital facilities contribution of \$2.3 million. Since there is no change in the residential acreage, the proposed number of

units, unit type, or density, the proffered capital facilities contribution remains unchanged from the original rezoning.

ZONING

As previously described, this property has an approved rezoning to the PD-H3 zoning district (administered as R-8 with the traditional design option) subject to the Revised 1993 Zoning Ordinance for up to 196 single-family detached dwelling units. The by-right development potential of the property was 143 single-family detached dwellings under the R-1 zoning; the rezoning approved the development of 53 additional units. All proposed zoning modifications were adequately justified and proven to meet their criteria. All of the recommendations cited in the Zoning Administration comments were incorporated on the Concept Plan or in the Proffers. There are no outstanding zoning issues with the proposed application.

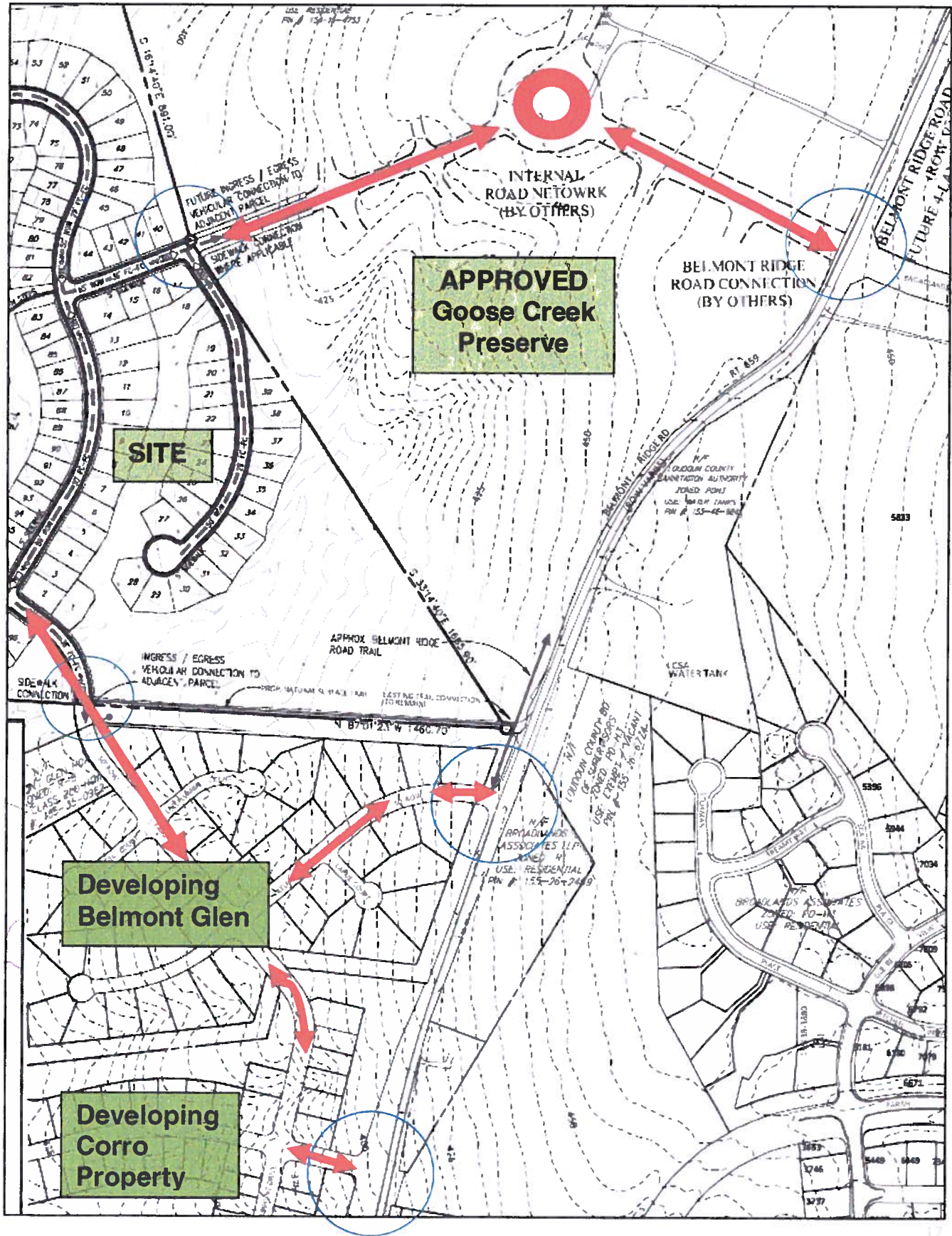
TRANSPORTATION

The application proposes no changes to the number of units approved for the property; therefore, the number of trips generated by the development has not changed. Based on standard ITE trip generation rates, the approved 196 single-family detached dwellings will generate approximately 1,932 average daily trips (ADT) which includes 147 AM peak hour trips and 196 PM peak hour trips.

Belmont Ridge Road (Route 659) is classified as a major collector, but is only currently constructed as a two-lane, rural section (R2). The Revised CTP calls for this segment of Route 659 to be widened to a four-lane divided (U4M) section as an interim condition (and ultimately to a six-lane divided (U6M) section) and reclassified as a minor arterial. As part of the proffers associated with the initial phase of development of Goose Creek Preserve (ZMAP 2002-0009) to the north, the segment of Route 659 south of the Greenway to the south of the future Broadlands Boulevard/Polen Farm Boulevard intersection has been widened to a four-lane median divided section, with a traffic signal installation at the above intersection. Future widening to a U4M section to the south along Route 659 is anticipated as development occurs in the area and proffered funds are contributed; the Applicant has already fulfilled its proffer obligation for this widening under ZMAP 2004-0006 by contributing \$750,000.00 toward this future road improvement.

The Department of Fire, Rescue, and Emergency Management commented on the application, and inquired about the number of units that would be developed prior to access being provided to the Goose Creek Preserve (aka Estates) development to the north, which will be the primary means of access for Belmont Glen Village at build-out. The applicant plans to have an additional access point to the south through the Corro property (in addition to the original access point through Belmont Glen via Fairhunt Drive and Belmont Glen Place) during the early phases of development. Pursuant to Proffer #2, the applicant is proposing the development of 60 dwelling units prior to the construction of an additional access to the north. Ultimately, these four rezoned properties will share three entrances onto Belmont Ridge Road (Route 659). See the following graphic which highlights these approved access points.

Vehicular Access to Belmont Ridge Road



The 2003 Bike & Ped Plan categorizes this segment of Route 659 as a “baseline connecting roadway” along which bicycle and pedestrian facilities are envisioned. A 10-foot multi-purpose trail will be provided along the west side of Route 659 from Polen Farm Boulevard to the southern Goose Creek Preserve property line. It will extend south across the short segment of the subject property’s frontage on Route 659 in conjunction with future development by the applicant, and connect with the existing multi-purpose trail across the frontage of the existing Belmont Glen development to the south. Proffer #16 details the proposed trail and sidewalk connections with the application.

All previous transportation obligations associated with ZMAP 2004-0006 have been incorporated into the proposed proffer statement, as requested. All comments from transportation staff were adequately addressed by the applicant.

E. ZONING ORDINANCE MODIFICATION REVIEW

In accordance with Section 6-1504, Modifications, of the Revised 1993 Zoning Ordinance: “No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation.”

In summary, the modifications seek to:

ZO §3-509(C) Minimum Buffer ZO §4-109(C) Site Planning-External Relationships	To reduce or eliminate the required fifty (50) foot permanent common open space buffer on ten variably-sized lots.
ZO §3-506(C)(1)(a) and (b) Front & Side Yard Lot Requirements	To reduce the required 25’ minimum front yard and 8’ minimum side yards to varying degrees on all lots.
ZO §7-103(A)(1) Affordable Dwelling Units – Detached and Attached Units ZO §7-108-Modifications	To permit the cash in lieu buyout of required Affordable Dwelling Units (ADUs), pursuant to Section 7-108(A)(3).

After several reviews and additional justification from the applicant, staff agrees that the first two modifications will result in less environmental impacts and does not increase the number of units previously approved. The third modification is consistent with the currently approved Concept Plan regarding an ADU buy-out. A density bonus was not incorporated by the applicant. Overall, the modifications are supported by staff as the requests are reasonable, the justifications sufficient, and the criteria have been met.

The modifications are listed on Sheet 7 of the CDP Plat set, which is proffered for substantial conformance in Proffer 1 (see Attachment 5). The modifications in their entirety are included in this staff report as Attachment 4 (page A-151).

F. ZONING ORDINANCE CRITERIA FOR ZCPA APPROVAL

Section 6-1211(E) of the Loudoun County Zoning Ordinance states " ... if the application is for reclassification of property to a different zoning district classification on the Zoning Map... the Planning Commission shall give reasonable consideration to the following matters ... ":

Standard *Whether the proposed zoning district classification is consistent with the Comprehensive Plan.*

Analysis The application does not propose a change in zoning, but rather, a change from a traditional development option to a conventional development option. The proposed ZCPA application will not change the property's existing PD-H3 zoning district classification, which is consistent with the RGP.

Standard *Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate.*

Analysis As approved with ZMAP 2004-0006, residential development with densities up to 4.0 du/acre is consistent with the surrounding properties in the area.

Standard *Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.*

Analysis As approved with ZMAP 2004-0006, the development consists of single-family detached dwelling units, which is compatible with the properties to the north, south, and east.

Standard *Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.*

Analysis As approved with ZMAP 2004-0006, there are adequate utilities and capital facilities to serve the development. A capital facilities contribution will be made for all dwelling units above the base density.

Standard *The effect of the proposed rezoning on the County's ground water supply.*

Analysis As approved with ZMAP 2004-0006, the development will meet all County standards regarding protection of ground water.

Standard *The effect of the uses allowed by the proposed rezoning on the structural capacity of the soils.*

Analysis As approved with ZMAP 2004-0006, the development will meet all County standards regarding protection of the structural capacity of the soils.

Standard *The impact that the uses permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and*

whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.

- Analysis The proposed application will not change the approved densities for the property or alter the proffered transportation commitments. No new traffic will result from this application and construction traffic will utilize the existing road network.
- Standard *Whether a reasonably viable economic use of the subject property exists under the current zoning.*
- Analysis The proposed application does not increase or reduce the economic use of the property from the currently approved plan.
- Standard *The effect of the proposed rezoning on the environment or natural features, wildlife habitat, vegetation, water quality and air quality.*
- Analysis The proposed application does not negatively affect environmental features to any greater extent than the approved plan. Additional open space is preserved with the proposal.
- Standard *Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base.*
- Analysis As approved with ZMAP 2004-0006, the development will help meet increased housing needs.
- Standard *Whether the proposed rezoning considers the needs of agriculture, industry, and businesses in future growth.*
- Analysis As approved with ZMAP 2004-0006, the development will help meet housing demands.
- Standard *Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.*
- Analysis As approved with ZMAP 2004-0006, the development will help meet housing demands in accordance with Plan policies.
- Standard *Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.*
- Analysis As approved with ZMAP 2004-0006, the development will help meet housing demands.

Standard *The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County.*

Analysis As approved with ZMAP 2004-0006, the development will provide single-family detached housing. A contribution will be provided to construct ADUs.

Standard *The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance.*

Analysis The proposed application does not negatively affect these features to any greater extent than the approved plan. Additional open space will be provided.

V. ATTACHMENTS		
1. Review Agency Comments		PAGE #
a. Building & Development, Zoning Administration	(02/23/10, 12/02/09, 09/25/09)	A-001
b. Building & Development, Environmental Review Team	(02/17/10, 12/08/09, 09/23/09)	A-014
c. Planning Department, Community Planning	(02/02/10, 11/23/09, 10/05/09)	A-024
d. Office of Transportation Services (OTS)	(02/09/10, 11/19/09, 10/07/09)	A-036
e. Parks, Recreation, and Community Services (PRCS)	(02/16/10, 11/24/09, 09/22/09)	A-051
f. Virginia Department of Transportation (VDOT)	(02/25/10, 11/16/09, 10/22/09, 09/30/09)	A-059
g. Building & Development-Plans Review	(02/09/10, 11/19/09, 09/21/09)	A-063
h. Loudoun Water	(12/03/09, 09/29/09)	A-067
i. Goose Creek Scenic River Advisory Board	(11/16/09, 09/11/09)	A-069
j. Fire, Rescue & Emergency Services	(12/03/09, 09/24/09)	A-071
k. Health Services	(08/28/09)	A-073
l. General Services	(09/21/09)	A-074
m. Proffer Statement Review – Building & Development, Zoning Division	(02/24/10, 03/17/10)	A-075
2. Statement of Justification	(dated June 12, 2009 revised through November 6, 2009)	A-081
3. Applicant's Response to Referral Comments	(03/12/10, 01/29/10, 11/06/09)	A-091
4. Zoning Modifications	(dated November 6, 2009 revised March 12, 2010)	A-151
5. Proffer Statement	(revised dated April 29, 2010)	A-157
6. Disclosure of Real Parties in Interest	(signed 03/24/10)	A-177
7. Reaffirmation of Disclosure of Real Parties in Interest	(signed 03/24/10)	A-187
ZCPA Plat set	(Dated June 12, 2009, revised through March 12, 2010)	Attached